

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24551 of 2023

Arising Out of PS. Case No.-465 Year-2022 Thana- ROHTAS District- Rohtas

SANTOSH BAITHA Son of Gulu Baitha R/V- Tumba, PS- Rohtas Dist-
Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Tripathy, Advocate
For the Opposite Party/s : Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 15-05-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Rohtas P.S. Case No. 465 of 2022, dated 13.12.2022 registered
for the offences punishable under Sections 30(a) and 37 of the
Bihar Prohibition and Excise Act.

3. The main submissions advanced by petitioner's
counsel are that the instant matter relates to the recovery of 52
litres of *illicit country-made mahua wine* but as per allegation,
only 20 litres of said wine is alleged to have been recovered
from the conscious possession of this petitioner and the
petitioner is a labourer having fair and clean antecedent and has
been languishing in jail since 14.12.2022 and the said place of
recovery is stated to be a forest area which is an open place and



against the petitioner investigation has been completed.

4. Learned APP appearing for the State opposes the prayer for bail.

5. Considering the above submissions and mainly petitioner's fair and clean antecedent, his custody period and the completion of investigation against him, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Rohtas P.S. Case No. 465 of 2022.

(Shailendra Singh, J.)

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